

Appl. No. 10/659,704

Amdt. Dated: September 28, 2004

Reply to Office Action of: 06/28/2004

REMARKS

The Applicant thanks the Examiner for his review of the present application and for his comments thereon. Amendments have been effected to the drawings and the specification with respect to objections raised by the Examiner. The claims have also been amended to correct various typographical errors.

The enclosed replacement drawing sheet containing Figure 3 includes various amendments which address the objections made by the Examiner. The reference numeral "44" has been added to Figure 3 to comply with 37 CFR 1.84(p)(5) as this feature was mentioned in the specification. Centerlines have also been added to the sets of gear teeth indicating a root diameter with the diameter measurement "35", a major diameter with the diameter measurement "37" and a pitch circle with the partial dashed circle "39". These exemplary measurements are to address the Examiners objection in view of 37 CFR 1.83(a) requiring every element of the claims to be shown in the drawings. Applicant believes that these markings help to clarify the reference to a gear tooth's root diameter, major diameter and pitch circle. As these terms are well known and well defined, now new subject matter has been added by this amendment.

As a consequence, the specification has been amended on Page 3, paragraph [0017] and Page 4, paragraph [0019] making reference to the above numerals 35, 37 and 39.

Page 2, line 13 (part of paragraph [0006]) has been amended replacing "spindle" with "shaft" in accordance with amendments effected to the claims. Page 3, line 17 and line 29 have been amended, replacing "cavity 42" and "channel 50" with "cavity 14" and "channel 64" respectively to address the Examiner's suggested corrections. Page 4, line 17 was amended, replacing "groove 64" with "channel 64" contrary to the Examiner's suggested correction. Applicant wishes to thank the Examiner for making note of this discrepancy and advises that the reference numeral 64 was correct and the corresponding element "groove" was incorrect and as such was replaced by "channel" which corresponds to numeral 64.

Appl. No. 10/659,704

Amdt. Dated: September 28, 2004

Reply to Office Action of: 06/28/2004

Claim 1 has been amended to overcome the Examiner's objection under 35 U.S.C. 112, second paragraph for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The limitation "said spindle" in line 9 has been replaced with "said shaft".

Claim 7 has also been amended to correct a typographical error. The dependency "according to claim 4" has been replaced with the dependency "according to claim 6."

The Examiner has also rejected claim 1 under 35 U.S.C. 102(b) as being anticipated by Muller et al. (U.S. Patent No. 3,961,872). Applicant respectfully submits that the Examiner has misconstrued the correlation between the channel (61) provided in the pressure compensating seal in the teachings of Muller with the channels 64 of the present invention used to supply pressure fluid between the gear teeth and the bearings. The arrangement shown in the Muller reference provides a seal between the teeth and bearing. The seal has an internal cavity supplied by pressure fluid through the bore 62 so that the sealing force on the gear teeth is increased and fluid is not delivered to the end faces of the gears to lubricate between the bearings and the gear faces.

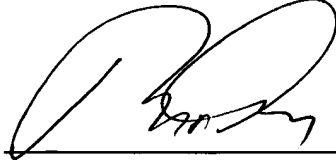
Claim 1 is explicit in requiring a bearing to engage the sealing face of the gears with a pressure compensating seal to bias the bearing into engagement with the face of the gears. The teachings of Muller in fact shows the seal biasing the bearings away from the teeth and so is quite contrary to what has been recited in claim 1. Claim 1 also specifies that the channel is between the end face of the bearing and the gear teeth to introduce fluid pressure between the faces and this simply is not present in the Muller reference.

Accordingly, it is believed that claim 1 clearly and patentably distinguishes over the reference to Muller and as such is in condition for allowance. Claims 2-10 are either directly or indirectly dependent upon claim 1 and are therefore also believed to be in condition for allowance.

Appl. No. 10/659,704
Amdt. Dated: September 28, 2004
Reply to Office Action of: 06/28/2004

Applicant requests early reconsideration and allowance of the present application.

Respectfully submitted,



Ralph A. Dowell
Attorney for Applicant
Registration No. 26,868

Date: September 28, 2004

DOWELL & DOWELL PC
STE 406 2111 EISENHOWER AVE
ALEXANDRIA VA 22314

Appl. No. 10/659,704
Amdt. Dated: September 28, 2004
Reply to Office Action of: 06/28/2004

Amendments to the Drawings

The attached replacement sheet containing Figure 3 will replace the drawing sheet containing Figure 3 currently on file.